



UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
OFFICE OF THE CLERK
1 COURTHOUSE WAY
BOSTON, MASSACHUSETTS 02210

Sarah Allison Thornton
CLERK OF COURT

June 8, 2005

Rodney C. Early, Clerk
304 US Courthouse
68 Court Street
Buffalo, NY 14202-1368

IN RE: MDL DOCKET No. 1456 In Re: Pharmaceutical Industry Average
Wholesale Price Litigation
USDC - Massachusetts Lead Case No. 1:01CV12257-PBS

6:05-CV-6138

Dear Mr. Early :

Enclosed is a certified copy of the Order of the Judicial Panel on Multi-District Litigation, transferring the cases on the attached listing to the U.S. District Court for the District of Massachusetts for coordinated or consolidated pretrial proceedings pursuant to Title 28 United States Code Section 1407. These cases have been assigned to the Honorable Patti B. Saris.

In accordance with the Rules concerning Multi-District Litigation, please forward the original case file, along with a certified copy of the docket entries and a copy of the transfer order for the case now pending in your district as indicated above. Also include a copy of this letter when transmitting your records to the above address.

Your prompt attention to this matter is greatly appreciated. If you should have any questions, please do not hesitate to contact the undersigned at 617-748-9113, Robert Alba, Courtroom Clerk for Judge Saris at 617-748-9175 or Christine Patch, Docket Clerk for Judge Saris, at 617-748-9178.

Sincerely,

A handwritten signature in cursive script, reading "Kimberly M. Abaid".

Kimberly M. Abaid
Deputy Clerk

Information Copy to: Michael Beck, Clerk of the Panel
Counsel of Record
Robert Alba
Christine Patch

CLOSED, CLOSED_2005, MWP

**U.S. DISTRICT COURT
WESTERN DISTRICT OF NEW YORK [LIVE] (Rochester)
CIVIL DOCKET FOR CASE #: 6:05-cv-06138-MAT**

County of Wayne v. Abbott Laboratories, Inc. et al Date Filed: 03/30/2005
Assigned to: Hon. Michael A. Telesca Jury Demand: Plaintiff
Related Case: [6:05-cv-06223-MAT](#) Nature of Suit: 890 Other
Cause: 42:1396 - Tort Negligence Statutory Actions
Jurisdiction: Federal Question

Plaintiff

County of Wayne

represented by **Aaron D. Hovan**
Kirby McInerney & Squire, LLP
830 Third Avenue
Suite 10
New York, NY 10022
212-371-6600
Fax: 212-751-2540
Email: ahovan@kmslaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Joanne M. Cicala
Kirby McInerney & Squire, LLP
830 Third Avenue
Suite 10
New York, NY 10022
212-371-6600
Fax: 212-751-2540
Email: jcicala@kmslaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Roger W. Kirby
Kirby McInerney & Squire, LLP
830 Third Avenue
Suite 10

New York, NY 10022
(212) 371-6600
Fax: 212-751-2540
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Abbott Laboratories, Inc.

Defendant

Agouron Pharmaceuticals, Inc.

Defendant

Alcon Laboratoriories, Inc.

Defendant

Allergan, Inc.

Defendant

Alpharma, Inc.

Defendant

Amgen, Inc.

Defendant

Andrx Corporation

Defendant

**AstraZeneca Pharmaceuticals
L.P.**

Defendant

Aventis Pharmaceuticals, Inc.

Defendant

Barr Laboratories, Inc.

Defendant

Bayer Corporation

Defendant

Ben Venue Laboratories, Inc.

Defendant

Berlex Laboratories, Inc.

Defendant

Biogen Idec, Inc.

Defendant

Biovail Pharmaceuticals, Inc.

Defendant

**Boehringer Ingelheim
Corporation**

Defendant

**Boehringer Ingelheim
Corporation**

Defendant

**Bristol-Meyers Squibb
Company**

Defendant

Dermik Laboratories, Inc.

Defendant

Dey Inc.

Defendant

Eisai Inc.

Defendant

Eli Lilly and Company

Defendant

Endo Pharmaceuticals Inc.

Defendant

Ethex Corporation

Defendant

Forest Laboratories, Inc.

Defendant

Forest Pharmaceuticals, Inc.

Defendant

Fujisawa Healthcare, Inc.

Defendant

Fujisawa USA, Inc.

Defendant

Genentech, Inc.

Defendant

Genzyme Corporation

Defendant

Gilead Sciences, Inc.

Defendant

Glaxosmithkline PLC

Defendant

Greenstone, LTD

Defendant

Hoffman-LaRoche, Inc.

Defendant

Immunex Corporation

Defendant

Ivax Corporation

Defendant

Ivax Pharmaceuticals Inc.

Defendant

**Janssen Pharmaceutica
Products, LP**

Defendant

Johnson & Johnson

Defendant

King Pharmaceuticals, Inc.

Defendant

McNeil-PPC, Inc.

Defendant

MedImmune, Inc.

Defendant

Merck & Co., Inc.

Defendant

Monarch Pharmaceuticals, Inc.

Defendant

Mylan Laboratories, Inc.

Defendant

**Novartis P Mylan
Pharmaceuticals, Inc.**

Defendant

**Novartis Pharmaceuticals
Corporation**

Defendant

**Novo Nordisk Pharmaceuticals,
Inc.**

Defendant

**Oncology Therapeutics
Network Corp.**

Defendant

**Organon Pharmaceuticals
USA, Inc.**

Defendant

Ortho Biotech Products, LP

Defendant

**Ortho-McNeil Pharmaceutical,
Inc.**

Defendant

Par Pharmaceutical, Inc.

Defendant

Pfizer, Inc.

Defendant

Pharmacia Corporation

Defendant

Purdue Pharma, L.P.

Defendant

Purepac Pharmaceutical Co.

Defendant

Reliant Pharmaceuticals, LLC

Defendant

Roche Laboratories, Inc.

Defendant

Roxane Laboratories, Inc.

Defendant

Sandoz, Inc.

Defendant

Sanofi-Synthelabo, Inc.

Defendant

Schering-Plough Corp.

Defendant

Serono, Inc.

Defendant

**Smithkline Beecham
Corporation
doing business as
Glaxosmithkline**

Defendant

**Takeda Pharmaceuticals North
America, Inc.**

Defendant

**Tap Pharmaceutical Products,
Inc.**

Defendant

Teva Pharmaceutical USA, Inc.

Defendant

UCB Pharma, Inc.

Defendant

UDL Laboratories, Inc.

Defendant

**Warrick Pharmaceuticals
Corporation**

Defendant

Watson Pharma, Inc.

Defendant

Watson Pharmaceuticals, Inc.

Defendant

Wyeth

Date Filed	#	Docket Text
03/30/2005	<u>1</u>	COMPLAINT against all defendants (Filing fee \$ 250 receipt number 67454.), filed by County of Wayne. (Attachments: # <u>1</u> Complaint Part 2 of 3# <u>2</u> Complaint (Part 3 of 3)# <u>3</u> Exhibit A Part 1 of 5# <u>4</u> Exhibit A Part 2 of 5# <u>5</u> Exhibit A Part 3 of 5# <u>6</u> Exhibit A Part 4 of 5# <u>7</u> Exhibit A Part 5 of 5# <u>8</u> Exhibit B# <u>9</u> Exhibit C# <u>10</u> Exhibit D# <u>11</u> Exhibit E# <u>12</u> Alphabetical Listing of Defendants)(BJB,) (Entered: 04/04/2005)
03/30/2005		Summons Issued as to Amgen, Inc., AndrX Corporation, AstraZeneca Pharmaceuticals L.P., Aventis Pharmaceuticals, Inc., Barr Laboratories, Inc., Bayer Corporation, Ben Venue Laboratories, Inc., Berlex Laboratories, Inc., Biogen Idec, Inc., Biovail Pharmaceuticals, Inc., Boehringer Ingelheim Corporation, Boehringer Ingelheim Corporation, Bristol-Meyers Squibb Company, Dermik Laboratories, Inc., Dey Inc., Eisai Inc., Eli Lilly and Company, Endo Pharmaceuticals Inc., Ethex Corporation, Forest Laboratories, Inc., Forest Pharmaceuticals, Inc., Fujisawa Healthcare, Inc., Fujisawa USA, Inc., Genentech, Inc., Genzyme Corporation, Gilead Sciences, Inc., Glaxosmithkline PLC, Greenstone, LTD, Hoffman-LaRoche, Inc., Immunex

		Corporation, Ivax Corporation, Ivax Pharmaceuticals Inc., Janssen Pharmaceutica Products, LP, Johnson & Johnson, King Pharmaceuticals, Inc., McNeil-PPC, Inc., MedImmune, Inc., Merck & Co., Inc., Monarch Pharmaceuticals, Inc., Mylan Laboratories, Inc., Mylan Pharmaceuticals, Inc., Novartis Pharmaceuticals Corporation, Novo Nordisk Pharmaceuticals, Inc., Oncology Therapeutics Network Corp., Organon Pharmaceuticals USA, Inc., Ortho Biotech Products, LP, Ortho-McNeil Pharmaceutical, Inc., Abbott Laboratories, Inc., Par Pharmaceutical, Inc., Pfizer, Inc., Pharmacia Corporation, Purdue Pharma, L.P., Purepac Pharmaceutical Co., Reliant Pharmaceuticals, LLC, Roche Laboratories, Inc., Roxane Laboratories, Inc., Sandoz, Inc., Sanofi-Synthelabo, Inc., Agouron Pharmaceuticals, Inc., Schering-Plough Corp., Serono, Inc., Smithkline Beecham Corporation, Takeda Pharmaceuticals North America, Inc., Tap Pharmaceutical Products, Inc., Teva Pharmaceutical USA, Inc., UCB Pharma, Inc., UDL Laboratories, Inc., Warrick Pharmaceuticals Corporation, Watson Pharma, Inc., Alcon Laboratories, Inc., Watson Pharmaceuticals, Inc., Wyeth, Allergan, Inc., Alpharma, Inc.. (BJB,) (Entered: 04/04/2005)
06/01/2005	<u>2</u>	ORDER STAYING CASE pending the resolution of the transfer issue by the Panel on Multidistrict Litigation.. Signed by Hon. Michael A. Telesca on 5/31/05. (BJB,) (Entered: 06/06/2005)
06/10/2005	<u>3</u>	MDL ORDER transferring the action to the Panel at the US District Court for the District of Massachusetts. Signed by Clerk of the Panel on 5/31/05. (BJB,) (Entered: 06/21/2005)

PACER Service Center

Transaction Receipt

06/24/2005 15:32:03

PACER Login:	us2510	Client Code:	
Description:	Docket Report	Search Criteria:	6:05-cv-06138-MAT
Billable Pages:	4	Cost:	0.32
